

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

Civil Action No. 3:16-cv-00386-PDW-ARS

THE RELIGIOUS SISTERS OF MERCY, State of North Dakota, Sacred Heart Mercy Health  
Care Center, SMP Health System, and University of Mary,

**Plaintiffs,**

v.

THE CATHOLIC BENEFITS ASSOCIATION, Diocese of Fargo, Catholic Charities North  
Dakota, and Catholic Medical Association,

**Consolidated Plaintiffs,**

v.

UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, Alex M. Azar, II,  
**Defendants,**

v.

UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, United States  
Department of Health and Human Services, Victoria Lipnic, Alex M. Azar, II, and American  
Civil Liberties Union,

**Consolidated Defendants.**

---

**NOTICE OF ENTRY OF APPEARANCE  
OF ANDREW NUSSBAUM**

---

Andrew Nussbaum of Nussbaum Gleason, PLLC, enters his appearance on behalf of Plaintiff Catholic Benefits Association, Diocese of Fargo, Catholic Charities North Dakota, and Catholic Medical Association (collectively, “Catholic Benefits Association Plaintiffs”) in the above-referenced matter. Mr. L. Martin Nussbaum will also remain as counsel for the Catholic Benefits Association Plaintiffs.

Dated April 4, 2023.

/s/ Andrew Nussbaum  
Andrew M. Nussbaum  
L. Martin Nussbaum  
Nussbaum Gleason, PLLC  
2 N Cascade Ave, Suite 1430  
Colorado Springs, CO 80903  
Telephone: (719) 428 - 3093  
Email: andrew@nussbaumgleason.com

*Attorneys for Catholic Benefits Association, Diocese of  
Fargo, Catholic Charities North Dakota, and Catholic  
Medical Association, Plaintiffs*

**CERTIFICATE OF SERVICE**

I, hereby certify that on this 4<sup>th</sup> day of April, 2023, a true and correct copy of the foregoing **NOTICE OF APPEARANCE** was filed with the Court and electronically served via ECF, addressed as follows:

Matthew A. Sagsveen  
ATTORNEY GENERAL'S OFFICE  
NATURAL RESOURCE DIV.  
500 N 9th STREET  
BISMARCK, ND 58501-4509  
701-328-3640  
Email: masagsve@nd.gov  
*LEAD ATTORNEY*

Luke W. Goodrich  
Daniel Chen  
Joseph Davis  
Mark L. Rienzi  
Becket Fund for Religious Liberty  
1919 Pennsylvania Avenue NW  
Suite 400  
Washington, DC 20006

Wayne K. Stenehjem  
Attorney General's Office  
600 E. BOULVARD  
BISMARCK, ND 58505-0040  
701-328-2210  
Email: [wstenehjem@nd.gov](mailto:wstenehjem@nd.gov)  
*LEAD ATTORNEY*

*Attorneys for The Religious Sisters of Mercy,  
Sacred Heart Mercy Health Care Center, SMP  
Health System, and University of Mary,  
Plaintiffs.*

*Attorneys for The State of North Dakota,  
Plaintiff.*

Bradley Humphreys  
Emily B. Nestler  
Bailey W. Heaps  
Rhett P. Martin  
U.S. Department of Justice  
20 Massachusetts Ave., NW  
Suite 7136  
Washington, DC 20530  
202-514-1280  
Emails: [bradley.humphreys@usdoj.gov](mailto:bradley.humphreys@usdoj.gov);  
[emily.b.nestler@usdoj.gov](mailto:emily.b.nestler@usdoj.gov);  
[bailey.w.heaps@usdoj.gov](mailto:bailey.w.heaps@usdoj.gov);  
[Rhett.martin@usdoj.gov](mailto:Rhett.martin@usdoj.gov)

Tara V. Iversen  
U.S. Attorney's Office  
655 1 Ave N Ste 250  
Fargo, ND 58102  
701-297-7414  
Email: [Tara.Iversen@usdoj.gov](mailto:Tara.Iversen@usdoj.gov)

*Attorneys for Secretary of the United States  
Department of Health and Human Services,  
Alex M. Azar, II, United States Equal  
Employment Opportunity Commission, and  
Victoria Lipnic, Defendants.*

Dane DeKrey  
DeKrey Hock LLC  
3542 16th Street South  
Moorhead, MN 56560  
307-389-3680  
Email: [dane@ringstromdekrey.com](mailto:dane@ringstromdekrey.com)

Brigitte Amiri  
Joshua A. Block  
Louise Melling  
American Civil Liberties Union  
125 Broad Street, 18th Floor  
New York, NY 10004-2400  
212-519-7897  
Email: [bamiri@aclu.org](mailto:bamiri@aclu.org)  
[jblock@aclu.org](mailto:jblock@aclu.org)  
[lmelling@aclu.org](mailto:lmelling@aclu.org)

Daniel I. Mach  
American Civil Liberties Union Foundation  
915 15th Street, Sixth Floor  
Washington, DC 20005  
202-675-2330  
Email: [dmach@aclu.org](mailto:dmach@aclu.org)

Daniel Korobkin  
American Civil Liberties Union Fund of  
Michigan  
2966 Woodward Ave.  
Detroit, MI 48201  
313-578-6824  
Email: [dkorobkin@aclumich.org](mailto:dkorobkin@aclumich.org)  
PRO HAC VICE

*Attorneys for Amicus American Civil Liberties  
Union*

s/ Kelly Callender